

REMARKS

Claim 1 has been amended by incorporation of the limitations of claim 2 and thereby represents claim 2 rewritten in independent form.

The rejection of claims 1-5, 7-10 and 11 for obviousness over Amimori et al. in view of Takashi et al. is respectfully traversed. The Examiner's primary reference, Amimori et al., like the Murata et al. patent applied as a primary reference in the previous office action, adopts a conventional approach to providing a film surface from which fingerprints may easily be removed. That conventional approach is use of a film having a low wet tension which tends to repel fingerprints as taught in the paragraph spanning pages 1 and 2 of applicants' specification. At column 31, line 17-21 cited by the Examiner, Amimori et al. teach that Sample 21 did not allow for the fingerprint to be "wiped out completely, whereas the case of Sample 24 such stain could easily be wiped out." As taught in column 29, lines 32-38, Sample 24 was prepared from a coating liquid A-1 which was based on a fluoropolymer (column 28, lines 27-32) whereas Sample 21, as taught at column 29, lines 13-28, was prepared using a coating liquid B-1 described as "a UV-curable hard coat material." At column 31, lines 20 and 21, at Amimori et al. conclude: "Thus, the use of a flourine containing compound for a low refractive index layer is preferable." The fluorocarbon polymers, such as Teflon, are well noted for their very low surface tension. Thus, Amimori et al. adopt the conventional approach for providing the film surface from which fingerprints may easily be removed, i.e. a surface with low wet tension.

The Examiner's secondary reference, Takahashi et al., is directed to a composition providing "a printable heat-resistant protective coat" quoting from the abstract. Of course, to provide a printable surface, the wet tension of the surface must be much higher than that of a fluorocarbon polymer, in the interest of ink adhering to the surface, as is clearly taught by Takahashi et al. at column 9, lines 43-50. The Examiner asserts that one skilled in the art would have had a reason from the teachings of Takahashi et al. to use a film providing a surface with a high wet tension as the low refractive index layer of Amimori et al. However, the evidence provided by the references of record indicate the contrary. Firstly, Amimori et al. teach away from such

a substitution in their teaching of a preference for use of a fluoropolymer for the low refractive index layer, i.e. a preference for a material with a very low wet tension. Secondly, the Takahashi et al. reference does not teach or suggest any correlation between a high wet tension (surface tension) and ease of removal of fingerprints. On the contrary, Takahashi et al. teach that the ease of removal of fingerprints is attributable to the presence of silica particles in the coating film. See column 6, lines 15-23. Takahashi et al. teach a correlation between surface tension and the adhesion of a printing ink (column 9, lines 43-50); however, good adhesion of the printing ink would not be a reason for using a high surface tension film as the low refractive index layer of Amimori et al. because Amimori et al. relates to polarizing plates and liquid crystal devices, none of which has any use for a printable surface.

In characterizing Takahashi et al, at page 3 of the office action the Examiner writes:

“Furthermore, from table 2 it can be seen that if the wet tension is below 20 mN/m (*comparative examples*) the coating does not resist fingerprints.”

It is respectfully submitted that the totality of the data of Takahashi et al shows, in several respects, that the Examiner’s conclusion based on table 2 is incorrect. Firstly, as noted above, Takahashi et al teach that ease of removal of fingerprints is attributable to the presence of silica (col. 6, lines 15-23). Takahashi et al correlate high surface tension with ink adhesion (col. 9, lines 43-50) but nowhere suggest a correlation between high surface tension and ease of removal of fingerprints. Properly interpreted, the data of table 2 is entirely consistent with these teachings. Note in table 1 that comparative examples 1 and 4 were the only two examples of use of compositions which did not contain the particulate silica D-1 and note in table 2 that these same two compositions were the only two compositions (“X”) which showed “clear fingerprints” (see col. 12, lines 27-32). Secondly, if the Examiner’s premise was correct, then comparative example 4 with a critical surface tension of 25, should have given better results for fingerprint removal than examples 5, 6 and 7 and comparative examples 2 and 3, all of which had lower values for critical surface tension. However, comparative example 4 failed the fingerprint removal test, whereas the aforementioned five

examples with lower tension passed that test, thus disproving the Examiner's theory.

Attention is also directed to the teaching at page 5, lines 7-31 of applicants' specification which reads:

"Further, in the fingerprint easily erasable film of the present invention, the wet tension of the matted surface is made 25 mN/m or higher, preferably 30 mN/m or higher. Contrary to lowering the wet tension to impart fingerprint erasability as in conventional techniques, the wet tension is made higher and the surface is matted to make the fingerprint erasability more favorable. Although the reason why this effect can be obtained is not necessarily clear, it is considered that this is because the ingredients of fingerprint becomes easier to be spread over a large area as an extremely thin film due to the wet tension of 25 mN/m or higher. According to the experiments conducted by the inventors of the present invention, it was confirmed that when ingredients of fingerprint were wiped off until they became invisible and the film was subjected to a fingerprint coloring test using a ninhydrine reagent, no coloration was observed. Thus, it was considered that the ingredients of fingerprint were thinly spread to such a degree that the reaction of the reagent should not occur or completely wiped off. This effect of imparting fingerprint erasability becomes more favorable, when Rz of the matted surface is in the range of, in particular, 0.2 to 2.0 μ m, and it is considered that this is because the spread ingredients of fingerprint become invisible by the effect of the matting."

At the minimum, the undersigned can fairly state that Amimori et al, unlike the present invention, provides a surface from which fingerprints may be removed due to the low surface tension or "wet tension" at the surface of a fluoropolymer. Therefore, to substitute a different material, one having a wet tension of 25 mN/m or more, fingerprint removal, if possible, would be by a different operative principle. MPEP §2143.01.VI states:

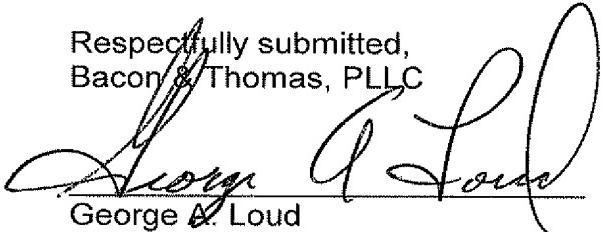
"If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious," citing *In re Ratti*, 123 USPQ 349 (CCPA 1959).

The rejection of claims 6, 11 and 13 for obviousness with the additional citation of Hasno et al is respectfully traversed for the same reasons given above. Even if a

combination of Hasno et al with one or both of Amimori et al and Takahashi et al is proper and the teachings of Hasno et al are significant for the reasons given by the Examiner, the rejection still fails because the basic combination of Amimori et al and Takahashi et al is improper for the reasons stated above, i.e. (1) the Examiner has given no valid reason why one skilled in the art would have made the allegedly obvious modification of Amimori et al and (2) the allegedly obvious modification of Amimori et al would change (eliminate) the mechanism (operative principle) by which the articles of Amimori allow removal of fingerprints from a surface.

In conclusion, it is respectfully requested that the Examiner reconsider and withdraw the rejections of record.

Respectfully submitted,
Bacon & Thomas, PLLC



George A. Loud
Registration No. 25,814

Date: May 27, 2009
Bacon & Thomas, PLLC
625 Slaters Lane
Alexandria, VA 22314-1176

Atty Dkt: KOYA3001
Telephone: 703-683-0500